

STAMELL & SCHAGER, LLP

ATTORNEYS AT LAW
ONE LIBERTY PLAZA, 35TH FLOOR
NEW YORK, NEW YORK 10006-1404

WRITER'S E-MAIL:
schager@ssnyc.com

WRITER'S DIRECT DIAL:
(212) 566-4057

TELEPHONE (212) 566-4047
FACSIMILE (212) 566-4061

March 21, 2011

Priority Mail

June Lowe, Esq.
Case Manager
Chambers of Hon. Jack B. Weinstein, U.S.D.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East, Courtroom 10B S
Brooklyn, New York 11201

Re: *Censor v. ASC Technologies of CT, LLC, et al.* Index No. 1:11-cv-0571

Dear Ms. Lowe:

Pursuant to the Court's request posted on the ECF System on March 18, I am providing a full set of the motion papers for two of the three motions that have been made in the pending case. These two motions are a motion for *pro hac vice* admission and a motion to disqualify counsel.

The first of these motions is the motion to admit Michael J. Cicero, Esq., of the Washington, D.C. Bar, to appear *pro hac vice* for defendants ASC Technologies of CT, HR 360, Thomas Ciconi and Lillian Shapiro. The motion papers include:

<u>Document No.</u>	<u>Document Title</u>
7	Motion for Admission <i>pro hac vice</i> .
7-1	Affirmation of Richard J. Schager, Jr. in Support of Motion for Admission <i>pro hac vice</i> .
7-2	Exhibit A to the Schager Affirmation, the Affidavit of Michael J. Cicero, Esq. of the Washington, D.C. Bar.
7-3	Exhibit B, a Certificate of Good Standing for Michael J. Cicero.
7-4	Exhibit D, a proposed form of order. (There was no Exhibit C).
9	An Opposition to the <i>pro hac vice</i> motion entitled "Affidavit of Martin Censor in Opposition to the Application of Michael J. Cicero for Admission <i>pro hac vice</i> " dated and filed March 10, 2011.
10	Reply Memorandum in Support of Motion for Admission <i>pro hac vice</i> , filed and served on March 14, 2011.

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By order dated and filed March 16, 2011 (Document No. 14), Magistrate Judge Mann granted this Motion for *pro hac vice* admission of Mr. Cicero "without prejudice to plaintiff's pending Motion to Disqualify Counsel" (emphasis added). I have enclosed for the Court's convenience a copy of Magistrate Judge Mann's Order.

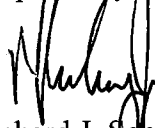
We respectfully call the Court's attention to Document 9 above, which is entitled "Affidavit of Martin Censor in Opposition to Application of Michael J. Cicero for Admission *pro hac vice*". This document was electronically filed on March 10, and was entered in ECF with a different name, "First Motion to Disqualify Counsel Michael J. Cicero by Martin Censor." As indicated in Magistrate Judge Mann's March 16 Order (as quoted above), she accepted this Affidavit as a Motion to Disqualify, and last Thursday we filed and served a Memorandum in Opposition to this Motion to Disqualify (Document No. 15), to which was attached an Affidavit of Mr. Cicero's partner, Kenneth A. Sprang of Washington, D.C. (Document No. 15-1).

At the date of this writing, plaintiff has not yet served a Reply to this Memorandum in Opposition.

Also pending before this Court is the defendant's Motion to Dismiss (Document No. 6), filed and served on March 8, 2011. A courtesy copy of this Motion was provided to the Court previously. At this writing plaintiff has not yet served an opposition to this Motion.

Please contact me if I can answer any questions with respect to these enclosures.

Respectfully submitted,



Richard J. Schager, Jr.

cc: Michael J. Cicero, Esq.
Counsel to Defendants Pro Hac Vice

Murray T. Koven, Esq.
Koven & Krausz
358 Fifth Avenue, Suite 301
New York, New York 10001
Counsel to Plaintiff Martin Censor
(Served by email without enclosures)

Enclosure

RJS/cb